

From: [SOS, Third Party Testing](#)
To: [SOS, Third Party Testing](#)
Subject: Notice to CDL testers 10-15-15
Date: Thursday, October 15, 2015 4:55:32 PM
Attachments: [Legal Presence CDL 9-23-15.pdf](#)

This message includes no procedural changes for skills testing, but has information of importance to CDL examiners and others. Please review this message with your examiners. If either you or your examiners have questions, please email thirdpartytesting@michigan.gov or call (517) 241-6850.

CDL RESTRICTIONS NOW IN EFFECT

The programming has been completed to place the new CDL restrictions on licenses. A CDL issued to a driver after October 12, 2015 should show any restrictions reported by the examiner on the skills test certificate.

RESTRICTIONS NOT RETROACTIVE

The new restrictions were not placed on any CDL issued prior to October 12, 2015 and are not retroactive to any driver currently holding a CDL. Examiners should not add "E", "L", "O", "Z" restrictions to an existing CDL when a driver tests to upgrade a CDL.

Upgrade example 1: applicant holds a group B CDL with no restrictions and wants to upgrade to drive a school bus. He presents a group BPS CLP and tests in a school bus with an automatic transmission. The driver qualifies for a group B CDL with PS endorsement & no restrictions. The examiner does not report a restriction "E-no manual transmission equipped CMV" on the skills test certificate. The examiner does accurately report the type of vehicle on the score sheet by reporting "BPS-E" or "BPS(E)" in the "Test Administered" field.

Upgrade example 2.1: applicant holds a group A CDL with an air brake restriction (formerly a "28" restriction, now an "L") and wants to upgrade to drive an air-brake equipped CMV. She presents a group A CLP with no air brake restriction and tests in a group B truck equipped with an automatic transmission and full air brakes. She would qualify for a group A CDL with no restrictions. The examiner does not report restrictions "E-no manual transmission equipped CMV" or "O-no tractor-trailer CMV" on the skills test certificate. The examiner does accurately report the type of vehicle on the score sheet by reporting "B-E" or "B(E)" in the "Test Administered" field.

Upgrade example 2.2: applicant holds a group A CDL with an air brake restriction (formerly a "28" restriction, now an "L") and wants to upgrade to drive an air-brake equipped CMV. He presents a group A CLP with no air brake restriction and tests in a group A combination vehicle--a truck equipped with an automatic transmission and full air brakes connected by a pintle hook to a trailer. He would qualify for a group A CDL with no restrictions. The examiner does not report restrictions "E-no manual transmission equipped CMV" or "O-no tractor-trailer CMV" on the skills test certificate. The examiner does accurately report the type of vehicle on the score sheet by reporting "A-EO" or "A(EO)" in the "Test

Administered" field.

REMINDER: Z RESTRICTION

The restriction "Z- no full air brake equipped CMV" is issued if an applicant tests in a CMV equipped with an air-over-hydraulic air brake system, sometimes called "partial air brakes." Examiners do not issue a "Z" restriction to an applicant who tests for a group A CDL with a drive vehicle equipped with full air brakes towing a trailer equipped with electric or hydraulic brakes. The driver would have no air brake restrictions.

FYI: NEW PROOF OF LEGAL PRESENCE REQUIREMENTS

Federal rules require Michigan to confirm citizenship or proof of legal presence when issuing a CDL or CLP. This requirement also applies to drivers renewing a CDL, as well as drivers holding a CDL and applying for a CLP. A copy of a form letter being mailed to drivers due for renewal is included with this message. Please share this information with your examiners, tests applicants, and any other persons holding a CDL.

[Date]

JOHN DRIVER
123 MAIN ST.
ANYWHERE, MI 12345

Dear CDL Driver:

The Federal Motor Carrier Safety Administration enacted new regulations to improve driver safety, effective July 8, 2015. The federal regulations and Michigan law require all drivers who have a Commercial Driver License (CDL) to provide proof of citizenship or legal presence in the United States.

You must provide your proof of citizenship or legal presence in the United States to the Michigan Department of State at the time of your upcoming driver license renewal. If you do not provide the information, you will not be able to renew your Commercial Driver License.

Proof of Legal Presence

U.S. citizens must present one of the following to prove legal presence in the U.S.:

- Original certified birth certificate or birth registration issued by a government unit of the U.S. (including American Samoa, Guam, Northern Mariana Islands, Puerto Rico (see below), and the U.S. Virgin Islands).

Note: Hospital birth certificates are not an acceptable form of legal presence.

A certified birth certificate issued by a government unit of Puerto Rico can be accepted only if issued on or after July 1, 2010.

- U.S. passport or passport card (*valid, unexpired*)
- Consular Report of Birth Abroad issued by the U.S. Department of State (FS-240, DS-1350, or FS-545)
- A Michigan enhanced ID card may be used for an original GDL, TIP, etc.

The following 2 documents are also acceptable as proof of legal presence – they must be verified in SAVE:

- Certificate of Citizenship (N-560 or N-561)
- Certificate of Naturalization (N-550, N-570, or N-578)

Applicants who are not U.S. citizens (immigrant or non-immigrant) must present one of the following to prove their legal presence in the U.S. These documents must be verified on SAVE:

- Permanent Resident Card (I-551)
- Employment Authorization Card (I-766) (*unexpired*)
- Foreign passport (*unexpired*) with an I-94 Arrival/Departure form
- Foreign passport (*unexpired*) with a port of entry stamp or temporary I-551 stamp
- Foreign passport (*unexpired*) with a U.S. visa
 - F1, F2, J1, and J2 visas should be accompanied by a valid I-20 or DS-2019.
- Refugee Travel Document (I-571) (*valid, unexpired*) with stamped I-94
- Approved U.S. Department of Labor Certification with Foreign Passport (*unexpired*) with a port-of-entry stamp or U.S. visa (*unexpired*)
- Expired USCIS documents accompanied by an I-797 receipt showing a request in process for an adjustment or change in status may be accepted if the adjustment or change in status can be verified by SAVE.

For additional information, please visit the Department of State website at www.Michigan.gov/sos, or call (517) 322-5555.